

VETERINARY MEDICINE BOARD[811]

Notice of Intended Action

Proposing rule making related to registration or licensure by verification and providing an opportunity for public comment

The Board of Veterinary Medicine hereby proposes to amend Chapter 8, “Auxiliary Personnel,” Iowa Administrative Code.

Legal Authority for Rule Making

This rule making is proposed under the authority provided in Iowa Code section 169.5.

State or Federal Law Implemented

This rule making implements, in whole or in part, 2020 Iowa Acts, House File 2627.

Purpose and Summary

The proposed rule implements 2020 Iowa Acts, House File 2627, by allowing a veterinary technician registered or licensed in another jurisdiction to more easily obtain an Iowa registration, so long as the veterinary technician is an Iowa resident or is married to an active duty member of the military who is relocated to Iowa on a permanent basis.

The rule also establishes application procedures including verification that the applicant’s registration or license from another state complies with the requirements of Iowa Code, requirements for establishing residency in Iowa, and disciplinary actions.

Fiscal Impact

This rule making has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rule making, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rule making would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to 811—Chapter 14.

Public Comment

Any interested person may submit written comments concerning this proposed rule making. Written comments in response to this rule making must be received by the Board no later than 4:30 p.m. on March 5, 2021. Comments should be directed to:

Colin Tadlock
Iowa Department of Agriculture and Land Stewardship
Wallace State Office Building
502 East 9th Street
Des Moines, Iowa 50319
Email: colin.tadlock@iowaagriculture.gov

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

March 5, 2021
1 to 2 p.m.

Second Floor Boardroom
Wallace State Office Building
Des Moines, Iowa
Via conference call: 866.685.1580
Participant access code: 7422903352#

Persons who wish to make oral comments at the public hearing may be asked to state their names for the record and to confine their remarks to the subject of this proposed rule making.

Any persons who intend to attend the public hearing and have special requirements, such as those related to hearing or mobility impairments, should contact the Department and advise of specific needs.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rule making by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rule making at its [regular monthly meeting](#) or at a special meeting. The Committee's meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rule-making action is proposed:

Adopt the following **new** rule 811—8.11(272C):

811—8.11(272C) Registration as veterinary technician by verification. Registration by verification for a veterinary technician is available in accordance with the following:

8.11(1) Eligibility. A person may seek registration by verification if the person is registered or licensed in at least one other jurisdiction, and either:

- a.* The person establishes residency in the state of Iowa; or
- b.* The person is married to an active duty member of the military forces of the United States and is accompanying the member on an official permanent change of station in Iowa.

8.11(2) Board application. The applicant must submit the following:

- a.* A completed application for registration by verification.
- b.* Payment of the application fee.
- c.* A verification form, completed by the licensing/registration authority in the jurisdiction that issued the applicant's license or registration, verifying that the applicant's license or registration in that jurisdiction complies with the requirements of Iowa Code section 272C.12. The completed verification form must be sent directly from the licensing/registration authority to the board. This form is available on the board's website.
- d.* Proof of residency in the state of Iowa or proof of military member's official permanent change of station in Iowa. Proof of residency includes one or more of the following:
 - (1) A residential mortgage, lease, or rental agreement;
 - (2) A utility bill;
 - (3) A bank statement;
 - (4) A paycheck or pay stub;
 - (5) A property tax statement;
 - (6) A federal or state government document;
 - (7) Any other board-approved document that reliably confirms Iowa residency.
- e.* Proof of passing Iowa's veterinary technician state examination.
- f.* A copy of the relevant disciplinary documents if another jurisdiction has taken disciplinary action against the applicant.

8.11(3) *Applicants with prior discipline.* If another jurisdiction has taken disciplinary action against an applicant, the board will determine whether the cause for the disciplinary action has been corrected and the matter has been resolved. If the board determines the disciplinary matter has not been resolved, the board will not take action on the application for registration until the matter has been resolved.

8.11(4) *Applicants with pending licensing/registration complaints or investigations.* If an applicant currently has a complaint, allegation, or investigation relating to unprofessional conduct pending before any regulating entity in another jurisdiction, the board will not take action on the application for registration until the complaint, allegation, or investigation has been resolved.

8.11(5) *Limitations.* A person who has had a license/registration revoked, or who has voluntarily surrendered a license/registration while under investigation for unprofessional conduct in another jurisdiction, is ineligible for registration by verification.